

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOHN D. KNECHT, an unmarried man,

Plaintiff,

vs.

FIDELITY NATIONAL TITLE INSURANCE
COMPANY, MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS INC.,
DEUTSCHE BANK NATIONAL TRUST CO.
AS TRUSTEE FOR GSR MORTGAGE LOAN
TRUST 2006-0A1, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2006-
0A1, AMERICAN HOME MORTGAGE
SERVICING INC.,

Defendants.

NO. 2:12-cv-01575 RAJ

**DECLARATION OF TAMAR
YELLIN IN SUPPORT OF
DEFENDANT FIDELITY
NATIONAL TITLE INSURANCE
COMPANY'S MOTION FOR
SUMMARY JUDGMENT**

Tamar Yellin declares as follows:

1. I am Staff Attorney at Fidelity Default Resolution Network ("FDRN"). FDRN and defendant Fidelity National Title Insurance Company (Fidelity") are related companies. I am over the age of 18, competent to testify, and make this Declaration based upon my personal knowledge.

2. FDRN manages defaults and foreclosures. Frequently, FDRN or Fidelity is appointed trustee or successor trustee under a deed of trust. As trustee, FDRN or Fidelity is sometimes required to initiate and manage nonjudicial foreclosure proceedings.

DECLARATION OF TAMAR YELLIN - 1

FIDELITY NATIONAL LAW GROUP
1200 - 6TH AVENUE, SUITE 620
SEATTLE, WA 98101
(206) 223-4525

1 3. On September 14, 2010, Deutsche Bank National Trust Company ("Deutsche
2 Bank") appointed Fidelity successor trustee to the deed of trust that is the subject of this litigation.
3 Plaintiff John D. Knecht ("Knecht") was the grantor of the deed of trust. A copy of the
4 Appointment of Successor Trustee is attached as Exhibit 4 to the Complaint.

5
6 4. Attached as *Exhibit 1* is a true and correct copy of the Beneficiary Declaration,
7 dated September 24, 2010, that was received by Fidelity in connection with the foreclosure of
8 Knecht's property (the "2010 Beneficiary Declaration"). The 2010 Beneficiary Declaration was
9 received by Fidelity in the ordinary course of business in connection with its role as successor
10 trustee and it was the ordinary course of Fidelity's business to receive such declarations from the
11 beneficiaries of deeds of trust.

12
13 5. Attached as *Exhibit 2* is a true and correct copy of the Beneficiary Declaration,
14 dated May 14, 2011, that was received by Fidelity in connection with the foreclosure of Knecht's
15 property (the "2011 Beneficiary Declaration"). The 2011 Beneficiary Declaration was received by
16 Fidelity in the ordinary course of business in connection with its role as successor trustee and it was
17 the ordinary course of Fidelity's business to receive such declarations from the beneficiaries of
18 deeds of trust.

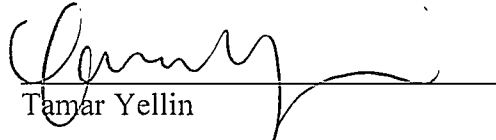
19 6. No foreclosure of Knecht's property is pending at this time.

20
21 7. Fidelity is aware of the legal requirements under Washington law for foreclosures of
22 residential property and trustee's sales. If a new foreclosure of Knecht's property is initiated,
23 Fidelity will follow all applicable legal requirements under Washington law for foreclosures of
24 residential property and trustee's sales and will a new Notice of Trustee's Sale. Fidelity will also
25

1 require a new declaration from the beneficiary confirming that it is the owner of the promissory note
2 or other obligation secured by the deed of trust.

3 I certify under penalty of perjury under the laws of the State of Washington that the
4 foregoing is true and correct to the best of my personal knowledge.

5 **EXECUTED** this 26th day of March, 2014, at Rancho Cordova, California.

7 
8 Tamar Yellin

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the date given below I caused to be served the foregoing
3 **DECLARATION OF TAMAR YELLIN IN SUPPORT OF DEFENDANT FIDELITY**
4 **NATIONAL TITLE INSURANCE COMPANY'S MOTION FOR SUMMARY**
5 **JUDGMENT** on the following individuals in the manner indicated via CM/ECF notifications:
6

7 Scott E Stafne
8 Stafne Law Firm
9 239 N. Olympia Avenue
10 Arlington, WA 98223
11 *Attorney for Plaintiff*

12 Frederick B. Rivera
13 Perkins Coie LLP
14 1201 Third Avenue, Suite 4900
15 Seattle, WA 98101-3099
16 *Attorney for Defendants*
17 *MERS, Inc., Deutsche Bank National Trust*
18 *Co. as Trustee for GSR Mortgage Loan Trust*
19 *2006-0A1, Mortgage Pass-Through*
20 *Certificates, Series 2006-0A1, American Home*
21 *Mortgage Servicing Inc.*

22 **SIGNED** this 27th day of March, 2014.

23 /s/ Shbien L. Cross

24 Shbien L. Cross, Legal Assistant
25

EXHIBIT 1

PLEASE COMPLETE AND EXECUTE THE BELOW DECLARATION:

The undersigned beneficiary or authorized agent for the beneficiary hereby represents and declares under the penalty of perjury that the beneficiary is the owner of the Promissory Note or other obligation secured by the Deed of Trust

Dated: September 24th 2010

By: AMERICAN HOME MORTGAGE SERVICING

Kathy Smith Kathy Smith
Signature of Mortgagee, Beneficiary of Authorized Agent

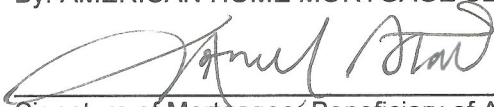
EXHIBIT 2

PLEASE COMPLETE AND EXECUTE THE BELOW DECLARATION:

The undersigned beneficiary or authorized agent for the beneficiary hereby represents and declares under the penalty of perjury that the beneficiary is the owner of the Promissory Note or other obligation secured by the Deed of Trust

Dated: 5.14.2014

Deutsche Bank National Trust Company, as Trustee for GSR Mortgage Loan Trust 2006-0A1, Mortgage Pass-Through
Certificates, Series 2006-0A1
By: AMERICAN HOME MORTGAGE SERVICING, INC.



Signature of Mortgagee, Beneficiary or Authorized Agent

Daniel Staten
Vice President